



RECEIVED

Edward Phillips
Attorney

2004 MAY 28 PM 1:22

NCWKFR0313
1411 Capital Blvd
Wake Forest, NC 27587-5900
Voice 919 554 7870
Fax 919 554 7913
edward.phillips@mail.sprint.com

T.R.A. DOCKET ROOM

May 27, 2004

Chairman Deborah Taylor Tate
Tennessee Regulatory Authority
460 James Robertson Parkway
Nashville, Tennessee 37243

Re: Sprint's Response to the Coalition's Opposition to Motion to Intervene by
SprintCom, Inc. d/b/a Sprint PCS
Docket No. 03-00633

Dear Chairman Tate:

Enclosed for filing in the above-referenced proceeding are the original and thirteen (13) copies of Sprint's Response to the Coalition's Opposition to Motion to Intervene by SprintCom, Inc. d/b/a Sprint PCS.

Copies of this Response are being served upon all parties of record in this proceeding. If I can be of assistance, please call me at your convenience.

Sincerely yours,

Edward Phillips

HEP:sm

Enclosures

cc: Parties of Record

BEFORE THE TENNESSEE REGULATORY AUTHORITY
NASHVILLE, TENNESSEE

In Re:)	
)	
Tennessee Coalition of Rural Incumbent Telephone)	
Companies and Cooperatives Request for Suspension)	Docket No. 03-00633
of Wireline to Wireless Number Portability)	
Obligations Pursuant to Section 251(f)(2) of the)	
Communications Act of 1934, as Amended)	

SPRINT'S RESPONSE TO THE COALITION'S OPPOSITION
TO MOTION TO INTERVENE BY SPRINTCOM, INC.

SprintCom, Inc. d/b/a Sprint PCS ("Sprint") hereby files with the Tennessee Regulatory Authority ("Authority") its response to the Opposition to Motion to Intervene by SprintCom, Inc. ("Opposition") filed by the Tennessee Coalition of Rural Incumbent Telephone Companies and Cooperatives (the "Coalition") on May 26, 2004.

In its Opposition, the Coalition states that Sprint has untimely filed its request for intervention in this docket. This allegation is unfounded at best. Pursuant to Tenn. Code Ann. § 4-5-310(1), a party seeking intervention in an administrative proceeding (contested case) must file its petition in writing with notice given to all parties, and that the petition is filed at least seven (7) days prior to the hearing in the proceeding. The hearing in this matter is tentatively scheduled to be held on June 21 - 23, 2004. Sprint filed its Petition to Intervene on May 14, 2004. Sprint's filing was made thirty-seven (37) days before the tentative hearing schedule, and well within the time frame prescribed by Tenn. Code Ann. § 4-5-310(1).

On May 7, 2004, the Hearing Officer entered an *Order Granting Petition for Intervention and Motion for Suspension Pending Proceeding and Establishing Expedited Procedural Schedule* ("Scheduling Order") in this proceeding, and Sprint will abide by such schedule if it is

granted intervention. The Coalition has suggested that since the Scheduling Order has been entered and discovery is under way, Sprint's intervention will adversely impact this schedule. This is not a valid basis for denial of Sprint's Petition as Sprint's participation in the discovery process is not necessary, or, it can be limited by the Hearing Officer. See Tenn. Code Ann. § 4-5-310(c)(2) under which the Hearing Officer can limit the intervenor's use of discovery among other things.

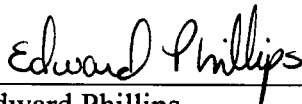
Sprint recognizes that the due process rights of the parties involved in this proceeding must be protected by any order granting Sprint's intervention. The due process rights of the parties will not be impaired by Sprint's intervention. As a matter of fact, the Coalition has argued in the alternative that the Hearing Officer can amend the current procedural schedule to provide for additional time. Sprint does not believe it necessary to do so, nevertheless, this decision resides with the Hearing Officer. Needless to say, Sprint will work within the confines of any order granting its intervention, whether such order maintains the original schedule or modifies it in an effort to ensure all due process requirements are met.

Tenn. Code Ann. § 4-5-310(3) states that the Hearing Officer shall grant intervention if it is determined "that the interest of justice and the orderly and prompt conduct of the proceedings shall not be impaired by allowing the intervention." The orderly and prompt conduct of these proceedings will not be impaired by permitting Sprint's intervention assuming either the existing schedule is maintained, or the schedule is modified.

In conclusion, Sprint's intervention should be granted because Sprint (1) has filed its petition in writing; (2) served all the parties to the proceeding with copies of its intervention; (3) filed its petition in a timely manner, thirty-seven (37) days prior to the hearing; (4) the petition sets forth facts supporting that Sprint's legal rights, duties, privileges or other legal interests may be determined in this proceeding; and (5) that the orderly and prompt conduct of the proceeding

shall not be impaired. Therefore, Sprint respectfully requests the Hearing Officer to grant its Petition to Intervene filed on May 14, 2004.

Respectfully submitted this 27th day of May, 2004.



Edward Phillips
Attorney
SprintCom, Inc. d/b/a Sprint PCS
Mailstop: NCWKFR0313
14111 Capital Boulevard
Wake Forest, North Carolina 27587-5900
Telephone: 919-554-7870
FAX: 919-554-7913
Email: edward.phillips@mail.sprint.com
Tennessee State Bar No. 016850

CERTIFICATE OF SERVICE

I hereby certify that I have served a copy of Sprint's Response to the Coalition's Opposition to Motion to Intervene by SprintCom, Inc. upon all parties of record to this Docket by depositing a copy addressed to each in the United States Mail, first-class postage prepaid.

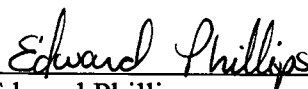
This 27th day of May, 2004.

Melvin J. Malone
Verizon Wireless
1200 One Nashville Place
150 4th Avenue North
Nashville, Tennessee 37219-2433

R. Dale Grimes
Bass, Berry & Sims PLC
AmSouth Center
315 Deaderick Street, Suite 2700
Nashville, Tennessee 37238-3001

Richard Collier
Tennessee Regulatory Authority
460 James Robertson Parkway
Nashville, Tennessee 37243-0505

Timothy C. Phillips
Assistant Attorney General
Office of the Attorney General
P. O. Box 20207
Nashville, Tennessee 37202



Edward Phillips
SprintCom, Inc. d/b/a Sprint PCS